

In re:
Michael A. Carr
Debtor(s)

Case No. 16-18870-amc
Chapter 7

District/off: 0313-2
Date Rcvd: Oct 22, 2020

User: JEGilmore
Form ID: pdf900

Page 1 of 3
Total Noticed: 8

The following symbols are used throughout this certificate:

Symbol **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
- # Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 24, 2020:

Recip ID	Recipient Name and Address
db	#+ Michael A. Carr, 5281 Rogers Circle, Plymouth Meeting, PA 19462-1250
NONE	+ Giuliano, Miller & Company, Willow Ridge Executive Office Park, 750 Route 73 South, Ste. 110, Marlton, NJ 08053-4142
cr	+ U.S. Department of Labor, Office of the Solicitor, Suite 630 East, The Curtis Center, 170 S. Independence Mall West, Philadelphia, PA 19106-3323
cr	+ Wilmington Savings Fund Society, FSB, c/o Bonnie R. Golub, Esquire, Weir & Partners LLP, 1339 Chestnut Street, Suite 500, Philadelphia, PA 19107-3501

TOTAL: 4

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: megan.harper@phila.gov	Oct 23 2020 02:38:00	City of Philadelphia, City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor, Philadelphia, PA 19102-1595
smg	Email/Text: RVSVCBICNOTICE1@state.pa.us	Oct 23 2020 02:37:00	Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946
smg	+ Email/Text: usapae.bankruptcynotices@usdoj.gov	Oct 23 2020 02:37:00	U.S. Attorney Office, c/o Virginia Powell, Esq., Room 1250, 615 Chestnut Street, Philadelphia, PA 19106-4404
cr	+ Email/PDF: gecscedi@recoverycorp.com	Oct 23 2020 02:46:55	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 4

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

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Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 22, 2020 at the address(es) listed below:

Name	Email Address
ALFRED T GIULIANO	atgiuliano@gulianomiller.com NJ90@ecfcbis.com;ddileo@gulianomiller.com
BARBARA A. FEIN	on behalf of Defendant 4089 Pechin Street bfein@sanddlawyers.com mhanford@sanddlawyers.com;kdaley@sanddlawyers.com
BARBARA A. FEIN	on behalf of Defendant C&M Student Housing LLC bfein@sanddlawyers.com mhanford@sanddlawyers.com;kdaley@sanddlawyers.com
BONNIE R. GOLUB	on behalf of Creditor Wilmington Savings Fund Society FSB bgolub@weirpartners.com, imarciniszyn@weirpartners.com
BRIAN CRAIG NICHOLAS	on behalf of Creditor BANK OF AMERICA N.A. bnicholas@kmillawgroup.com, bkgroup@kmillawgroup.com
DAVID B. SMITH	on behalf of Defendant Michael A. Carr dsmith@skhlaw.com b.dr70286@notify.bestcase.com
DAVID B. SMITH	on behalf of Debtor Michael A. Carr dsmith@skhlaw.com b.dr70286@notify.bestcase.com
GEORGE M. CONWAY	on behalf of Plaintiff Andrew R. Vara (United States Trustee) george.m.conway@usdoj.gov
JOHN M. STRAWN	on behalf of Creditor U.S. Department of Labor strawn.john@dol.gov zzsol-phi-docket@dol.gov
KEVIN P. CALLAHAN	on behalf of Plaintiff Andrew R. Vara (United States Trustee) kevin.p.callahan@usdoj.gov
LAWRENCE J. KOTLER	on behalf of Plaintiff Lynn Feldman ljkotler@duanemorris.com
LAWRENCE J. KOTLER	on behalf of Trustee LYNN E. FELDMAN ljkotler@duanemorris.com
LYNN E. FELDMAN	trustee.feldman@rcn.com lfeldman@ecf.axosfs.com
LYNN E. FELDMAN	on behalf of Giuliano Miller & Company trustee.feldman@rcn.com, lfeldman@ecf.axosfs.com
MATTEO SAMUEL WEINER	on behalf of Creditor JPMORGAN CHASE BANK N.A. bkgroup@kmillawgroup.com
MICHAEL J. BURNS	on behalf of Plaintiff Joyce Wojtowicz and Plan Participants in the Tri State Imaging PR mjburnslaw@verizon.net
NICHOLAS S. HERRON	on behalf of Plaintiff Andrew R. Vara (United States Trustee) nicholas.s.herron@usdoj.gov, USTPRegion03.PH.ECF@usdoj.gov
PHILIP S. ROSENZWEIG	on behalf of Defendant 4089 Pechin Street prosenzweig@sanddlawyers.com mhanford@sanddlawyers.com;mraynor@sanddlawyers.com;kdaley@sanddlawyers.com;rcchew@sanddlawyers.com;boneill@sanddlawyers.com
PHILIP S. ROSENZWEIG	on behalf of Defendant C&M Student Housing LLC prosenzweig@sanddlawyers.com mhanford@sanddlawyers.com;mraynor@sanddlawyers.com;kdaley@sanddlawyers.com;rcchew@sanddlawyers.com;boneill@sanddlawyers.com
REBECCA ANN SOLARZ	on behalf of Creditor JPMORGAN CHASE BANK N.A. bkgroup@kmillawgroup.com
United States Trustee	USTPRegion03.PH.ECF@usdoj.gov
WILLIAM EDWARD MILLER	on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT INC., ALTERNATIVE LOAN TRUST 2007-1T1, MORTGAGE PASS-THROUGH

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CERTIFICATES, SERIES 2007-1T1 wmiller@friedmanvartolo.com, wEdwardmiller@gmail.com

TOTAL: 22

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	§	Chapter 7
	§	
MICHAEL A. CARR,	§	
	§	Case No. 16-18870 (AMC)
Debtor.	§	

**ORDER CLARIFYING THAT CERTAIN STIPULATION AND AGREED ORDER
RELATED TO THE PROOFS OF CLAIM OF THE UNITED STATES
DEPARTMENT OF LABOR (CLAIM NO. 1) AND JOYCE WOJTOWICZ AND THE
PARTICIPANTS AND BENEFICIARIES OF THE TRI-STATE IMAGING PR, LLC
FLEXIBLE BENEFITS PLAN (CLAIM NO. 9)**

This matter is before the Court in connection with that certain *Stipulation and Agreed Order Related to the Proofs of Claim of the United States Department of Labor (Claim No. 1)*¹ and *Joyce Wojtowicz and the Participants and Beneficiaries of the Tri-State Imaging PR, LLC Flexible Benefits Plan (Claim No. 9)* [Docket Nos. 128 and 129] (the “Stipulation”)², which was approved by this Court on February 4, 2020 (the “Approval Order”). Since the entry of the Approval Order, an issue has arisen regarding the actual claim that was withdrawn pursuant to the terms and conditions of the Stipulation³. Notwithstanding the fact that the Stipulation defined the Department Claim as “Claim No. 1,” the Claims Register for the above-captioned chapter 7 case reflects that the Department Claim was actually designated as Claim No. 2 on the Claims Register

¹ Notwithstanding the title of the Stipulation, the claim filed by the Department of Labor was designated as Claim No. 2 on the Claims Register. Claim No. 1 was a claim filed by BB&T in the amount of \$832.00.

² Capitalized terms used herein but not otherwise defined shall have the meanings ascribed to such terms in the Stipulation.

³ By and through the Stipulation, counsel for Lynn E. Feldman (the “Trustee”), the Chapter 7 Trustee for the estate of Michael A. Carr the United States Department of Labor (the “Department”) and Joyce Wojtowicz, representing a class of similarly situated participants and beneficiaries of the Tri-State Imaging PR, LLC Flexible Benefits Plan (the “Participants” and, together with the Trustee and the Department, the “Parties” and each, a “Party”), stipulated and agreed that, *inter alia*, the proof of claim filed by the Department in the above-captioned chapter 7 case (the “Department Claim”) would be withdrawn with prejudice. Stipulation, ¶3

and that Claim No. 1 on the Claims Register was filed by BB&T and that as a result of the Approval Order, Claim No. 1 has been designated on the Claims Register as being withdrawn instead of Claim No. 2; and so as to avoid any additional confusion and to accurately reflect the terms and conditions of the Stipulation, it is hereby:

1. ORDERED that the Department Claim, being designated as Claim No. 2 on the Claims Register, and no other claim, was withdrawn with prejudice; and it is further

2. ORDERED that Proof of Claim No. 1, filed by BB&T, shall be reinstated; and it is further

3. ORDERED that, to the extent necessary, the Clerk of the Court shall: (i) reinstate Claim No. 1 filed by BB&T on the Claims Register; and (ii) note on the Claims Register that Claim No. 2 filed by the Department of Labor has been withdrawn with prejudice; and it is further

4. ORDERED that except for this Order's clarification of the actual claim being withdrawn, all of other the terms and conditions of the Stipulation shall remain in full force and effect; and it is further

5. ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

Dated: _____, 2020

Date: October 21, 2020



THE HONORABLE ASHLEY M. CHAN
UNITED STATES BANKRUPTCY JUDGE